

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Craig Ning Antonio Breuton

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Chuck Wright, Matthew C Smith, Christopher Rojas, Cathy White, Spartanburg County Detention Center, Spartanburg County, City of Spartanburg

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Complaint for Violation of Civil Rights

(Prisoner Complaint)

no case number

Case No. [REDACTED]
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

When submitted for filing, your complaint should be accompanied by the full filing fee or an application to proceed *in forma pauperis*.

Craig Ninja Antonio Brewton

against

Sheriff Chuck Wright

Matthew C Smith

Christopher Rojas

Cathy White

Spartanburg County Detention

Center, Spartanburg County,

City of Spartanburg

jury trial

demanded yes✓

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Craig Ninja Antonio Brewton

All other names by which you have been known:

ID Number

109131

Current Institution

Spartanburg County Detention Center

Address

950 California AvenueSpartanburg SC 29303**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Chuck WrightJob or Title
(if known)Sheriff

Shield Number

Employer

Spartanburg County

Address

8045 Howard Street Spartanburg
SC 29303

Individual capacity



Official capacity

Defendant No. 2

Name

Matthew C Smith

Job or Title (if known) Sheriff
Shield Number _____
Employer Spartanburg County Sheriff
Address 8045 Howard Street Spartanburg
SC 29303
☒ Individual capacity ☒ Official capacity

Defendant No. 3

Name Christopher Rojas
Job or Title (if known) Sheriff
Shield Number _____
Employer Spartanburg County Sheriff
Address 8045 Howard Street Spartanburg
SC 29303
☒ Individual capacity ☒ Official capacity

Defendant No. 4

Name Cathy White
Job or Title (if known) Head Nurse
Shield Number _____
Employer Spartanburg County
Address 950 California Avenue
Spartanburg SC 29303
☒ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Excessive force 4th amendment, 8th amendment lack of medical article 1 section 15, 4th amendment Illegal Search and Seizure

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

4th amendment Matthew C Smith, Christopher Rojas, and Chuck Wright under the color of state and local law used excessive force injuring and illegally search and seizure. 8th amendment Cathy White (cont)

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☒ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee

- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

Sept. 19 2022 near 114 Leanna Drive on the 26 highway on the side
of the highway going towards Dorman High School.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

Sept. 19 2022 in 950 California Ave and the hospital.
Spartanburg regional hospital

- C. What date and approximate time did the events giving rise to your claim(s) occur?

September 19 2022 early morning 8-10am

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

A unknown officer didn't let me read a search warrant when
I asked instead he assaulted me by slapping my hand intimidating
me and officers told me not to reach. I got scared a hop led (cont)

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D) under the color of state and local law denied medical claim and cruel and unusual punishment letting me suffer in pain. 28 USC § Sec 636(b)(1) Fed. R. Civ. P. 72, 42 USC 1983, 42 U.S.C. § 1985 claim under 1983 claim for civil conspiracy. Local civil rule 42 USC 1983 13.02(B)(2)

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D) to a run and I ran to the highway for witnesses. Matthew C Smith tazed me 3 times and had his knee on my knee in an illegal chokehold with his knee or foot breaking my neck. Mr Smith also broke and dislocated my shoulder from my arm roughly arresting me and placing me in very tight handcuffs. Christopher Rojas illegally searched Marcus Barlow's home. Mr Smith illegally searched and seized me touching me improperly. Cathy White and her staff of nurses knew that I was severely injured and I was placed in a holding cell.

Continued IV Pg 5 D extra paper

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I have a dislocated shoulder and a broken vertebrae in my neck from an illegal chokehold and Naked armbars hold used in UFC fighting. I bonded out paid for my own surgery and took out loans I have very bad headaches, memory loss from being tazed. I know I had a concussion a couple of times being tazed and passing out. My back hurts very bad when I move. I have bad dreams from this incident and can't sleep from nightmares and being depressed. I had to get surgery 2/22/23 check my Spartanburg Regional bills I paid for. ^{Krum Right shoulder and fingers}

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

① 44 million with court costs 5.5 million settlement no court = 32.3 million punitive damages, 1.1 compensatory damages, and 1.1 million nominal damages or ② 44 million with immediate release = 2.22 million punitive damages 1.1 million compensatory damages and 1.1 million nominal damages along with charges dropped for Annetta Breuton with free rehab for fracture Chosen by the jury A B or C. I would like B if there's no court also

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes
☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Spartanburg County Detention Center

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes
☐ No
☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes
☒ No
☐ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes
☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

E. If you did file a grievance:

1. Where did you file the grievance?

2. What did you claim in your grievance?

3. What was the result, if any?

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

I was only detained for a day both times
I was arrested for one occasion, two times
both times hurt. The last time guns were drawn on
I was unarmed. I bonded out both times with my own money.

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

Chuck Wright responded by revoking
my bond placing me under arrest in court.

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If so, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐ Yes

☒ No

- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)
- _____
- _____

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: Feb. 22nd, 2025

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

950 California Avenue
Spartanburg SC

City

State

29303
Zip Code

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

333 Bethlehem Ch. Rd. Moore SC

Telephone Number

864 804 1406

E-mail Address

WhitneyBrewton91@gmail.com